

104TH CONGRESS
2D SESSION

H. R. 3932

To amend title II of the Social Security Act to provide that the waiting period for disability benefits shall not be applicable in the case of a disabled individual suffering from a terminal illness.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 1996

Mr. WISE introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title II of the Social Security Act to provide that the waiting period for disability benefits shall not be applicable in the case of a disabled individual suffering from a terminal illness.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. EXCEPTION FROM WAITING PERIOD FOR DIS-**
4 **ABLED INDIVIDUALS SUFFERING FROM TER-**
5 **MINAL ILLNESS.**

6 (a) IN GENERAL.—The first sentence of section
7 223(a)(1) of the Social Security Act (42 U.S.C. 423(a)(1))
8 is amended, in clause (ii) thereof—

1 (1) by inserting “(I)” immediately after “but
2 only if”, and

3 (2) by inserting “or (II) he has a terminal ill-
4 ness (as defined in subsection (e)),” immediately
5 after “the first month in which he is under such dis-
6 ability,”.

7 (b) DEFINITION OF TERMINAL ILLNESS.—Section
8 223 of such Act (42 U.S.C. 423) is further amended by
9 adding at the end thereof the following new subsection:

10 “Definition of Terminal Illness

11 “(e) As used in this section, the term ‘terminal ill-
12 ness’ means, in the case of any individual, a medically de-
13 terminable physical impairment which is expected to result
14 in the death of such individual within the next 12
15 months.”.

16 **SEC. 2. EFFECTIVE DATE.**

17 The amendments made by this Act shall be effective
18 with respect to applications for disability insurance bene-
19 fits under section 223 of the Social Security Act filed—

20 (1) in or after the month in which this Act is
21 enacted, or

22 (2) before the month in which this Act is en-
23 acted if—

24 (A) notice of the final decision of the Sec-
25 retary of Health and Human Services has not

1 been given to the applicant before such month,
2 or

3 (B) the notice referred to in paragraph (1)
4 has been so given before such month but a civil
5 action with respect to such final decision is
6 commenced under section 205(g) of the Social
7 Security Act (whether before, in, or after such
8 month) and the decision in such civil action has
9 not become final before such month;
10 except that no monthly benefits under title II of the Social
11 Security Act shall be payable by reason of the amend-
12 ments made by this Act for any month before the month
13 in which this Act is enacted.

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